

**Governor's Executive Orders/Proclamations**

**EXECUTIVE ORDERS, PROCLAMATIONS OF  
GENERAL APPLICABILITY, AND STATEMENTS  
ISSUED BY THE GOVERNOR  
PURSUANT TO A.R.S. § 41-1013(B)(3)**

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders and Proclamations of General Applicability issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

**EXECUTIVE ORDER 2006-05**

**Supplementing Medicare Drug Coverage For Dual Eligible Persons  
During The Medicare Part D Transition  
(Amending Executive Orders 2006-01 and 2006-02)**

[M06-86]

**WHEREAS**, the federal government mandated that as of January 1, 2006, approximately 97,000 Arizona citizens who are dually eligible for Medicare and Medicaid services switch prescription drug coverage from the Arizona Health Care Cost Containment System (AHCCCS) to Medicare; and

**WHEREAS**, dual eligible persons are among Arizona's most frail and vulnerable citizens; and

**WHEREAS**, despite extraordinary efforts by the State to prepare for this massive change, there remain instances of members being unable to receive the medication coverage that they require; and

**WHEREAS**, without the ability to obtain prescriptions, dual eligible persons who have life threatening conditions face immediate and future health care crises; and

**WHEREAS**, this situation puts the personal health of our citizens in jeopardy; and

**WHEREAS**, on January 13, 2006, I issued Executive Order 2006-01, authorizing expenditures from the Health Crisis Fund to allow AHCCCS to help pay certain expenses incurred between January 1, 2006 and February 1, 2006 by dual eligible person seeking needed medications; and

**WHEREAS**, on January 31, 2006, I extended the period for which Health Crisis Fund monies could be used to pay such expenses to and including February 15, 2006; and

**WHEREAS**, there continue to be instances of eligible citizens not receiving the prescription coverage they need; and

**WHEREAS**, this situation is neither a contingency nor an emergency pursuant to A.R.S. § 35-192 because it requires neither state-municipal resource coordination nor Department of Emergency and Military Affairs assistance;

**NOW, THEREFORE**, I Janet Napolitano, by virtue of the authority vested in me as Governor by the Arizona Constitution and the laws of the State, declare a significant potential for a health crisis in the State, and hereby order as follows:

1. The period of time set forth in Executive Order 2006-01 (as amended by Executive Order 2006-02) during which incurred expenses may be paid pursuant to the terms of those Orders is hereby extended to and including March 15, 2006.
2. All other terms set forth in Executive Order 2006-01 (as amended by Executive Order 2006-02) shall remain in full force and effect.

*Arizona Administrative Register / Secretary of State*  
**Governor's Executive Orders/Proclamations**

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**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

**Janet Napolitano**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this 15th day of February in the Year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirtieth.

**ATTEST:**

**Janice K. Brewer**  
**SECRETARY OF STATE**

**DECLARATION OF EMERGENCY**

*\* Arizona Pre-Suppression Wildfire Resources Emergency \**

[M06-82]

**WHEREAS**, the State of Arizona has experienced the driest winter in recorded history coupled with above average temperatures and the earliest recorded start to a wildfire season; and

**WHEREAS**, precipitation has been severely below normal statewide, the snow pack is 13% of normal, the watersheds are 1-21% of normal, and the greater Phoenix area has received 0% precipitation in the last 127 days with little or no precipitation forecasted in the near future; and

**WHEREAS**, the entire State of Arizona is threatened by extreme wildfire hazard due to drought-stressed desert brush and timber that are vulnerable to fire ignitions from human and natural causes; and

**WHEREAS**, the State wildfire pre-suppression resources strategy will be less prepared for the wildfire season without additional financial support from state funds to compensate for fewer federal large air tankers and to meet the demands of a fire season that is anticipated to be twice the length of a normal season; and

**WHEREAS**, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D), and the Legislature has authorized the expenditure of funds in such event of an emergency pursuant to A.R.S. § 35-192;

**NOW, THEREFORE I**, Janet Napolitano, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and Laws of the State, do hereby determine that the Arizona Pre-Suppression Wildfire Resources Emergency justifies a declaration of a State of Emergency, and further:

- a. Direct the Arizona Division of Emergency Management and the Arizona State Land Department, Office of the State Forester, to work together to prepare resources for the 2006 wildfire season; and
- b. Direct that the sum of \$200,000 from the general fund be made available immediately to the Director of the Arizona Division of Emergency Management to be expended in accordance with A.R.S. § 35-192, A.A.C. R8-2-301 to 321, and Executive Order 79-4; and
- c. Direct that the State of Arizona Emergency Response and Recovery Plan be used as necessary to direct and control state and other assets, and authorize the Director of the Arizona Division of Emergency Management to coordinate state assets; and
- d. Authorize the Adjutant General to mobilize and activate all or such part of the Arizona National Guard as is determined necessary to assist in the protection of life and property throughout the State.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janet Napolitano**  
**G O V E R N O R**

**Governor's Executive Orders/Proclamations**

**DONE** at the Capitol in Phoenix on this twenty-second day of February in the Year Two Thousand Six and of the Independence of the United States of America the Two Hundred and Thirtieth.

**ATTEST:**

**Janice K. Brewer**  
SECRETARY OF STATE

**\* BLACK HISTORY MONTH \***

[M06-83]

**WHEREAS**, Black History Month affords us the opportunity to acknowledge the many achievements and accomplishments made by African Americans to America and Arizona and our economic, spiritual, cultural, educational and political development; and

**WHEREAS**, to provide a scholarly balance to history, Dr. Carter Godwin Woodson founded The Association for the Study of Negro Life and History in 1915; and

**WHEREAS**, Dr. Woodson worked for the creation of Negro History Week, which became a reality in 1926, and he chose the second week of February for the observance because of its proximity to the birthdays of Abraham Lincoln and Frederick Douglass, two individuals who Dr. Woodson felt had dramatically affected the lives of African Americans; and

**WHEREAS**, Negro History Week was expanded in 1976 to become Black History Month to afford all our citizens the opportunity to recognize and respect the history of individuals of African American descent; and

**WHEREAS**, Black History Month is a time to celebrate our diverse heritage and culture and to look ahead to new challenges with a renewed sense of unity and common purpose; and

**WHEREAS**, Black History Month is a time for all Americans to remember the stories and teachings of those who helped build our nation, took a stance against prejudice to build lives of dignity and opportunity, advanced the cause of civil rights, and strengthened families and communities;

**NOW, THEREFORE**, I, Janet Napolitano, Governor of the State of Arizona, do hereby proclaim February 2006 as

**\* BLACK HISTORY MONTH \***

in the State of Arizona, and call upon everyone to observe this month with appropriate programs and activities that highlight and honor the indispensable contributions of African Americans in the development of our great Nation and its ongoing crusade for true freedom and equality.

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janet Napolitano**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this twentieth day of January in the year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirty.

**ATTEST:**

**Janice K. Brewer**  
**Secretary of State**

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**\* BOY SCOUT MONTH \***

[M06-97]

**WHEREAS**, the mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetimes by installing in them the values of the Scout Oath and Law; and

**WHEREAS**, the Boy Scouts of America is the nation's foremost youth program of character development and values-based leadership training by; offering young people responsible fun and adventure; instilling in young people lifetime values and develop in them ethical character as expressed in the Scout Oath and Law; training young people in citizenship, service, and leadership; and serving America's communities and families with its quality values-based program; and

**WHEREAS**, over 54,000 boys and girls and 18,000 adult volunteers in the State of Arizona actively participate and benefit from the quality programs of the Grand Canyon Council of Boy Scouts of America; and

**WHEREAS**, the Boy Scouts of America has a long heritage of service to Arizona since statehood;

**NOW, THEREFORE**, I, Janet Napolitano, Governor of the State of Arizona, do hereby proclaim February 2006 as

**\* BOY SCOUT MONTH \***

**IN WITNESS WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona

**Janet Napolitano**  
**G O V E R N O R**

**DONE** at the Capitol in Phoenix on this fifteenth day of February in the Year Two Thousand and Six and of the Independence of the United States of America the Two Hundred and Thirtieth.

**ATTEST:**

**Janice K. Brewer**  
**Secretary of State**